

RESOLUTION NO. 2012-02

A RESOLUTION OF THE LODI CITY COUNCIL
REJECTING NON-RESPONSIVE BID,
AWARDING CONTRACT FOR CITY OF LODI
FACILITIES PAINTING PROJECT, AUTHORIZING
THE CITY MANAGER TO EXECUTE CONTRACT
AND FURTHER APPROPRIATING FUNDS

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WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on December 14, 2011, at 11:00 a.m., for the City of Lodi Facilities Painting Project, described in the specifications therefore approved by the City Council on November 16, 2011; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Bid
Pro-Ex Painting & Decorating	\$ 41,333
OnPoint Construction	\$ 53,140
Michael Watson Painting	\$ 55,478*
Color New Company	\$ 55,500
Tony Painting	\$ 57,850
Seven Island Painting	\$ 58,000
Northern California Painting	\$ 58,350
River City Painting	\$ 58,350
A & A Painting	\$ 59,891
Bella Painting	\$ 69,950
Affordable Painting Service	\$ 71,500
Pacific Painting Company	\$ 78,000
BA Painting	\$ 78,900
TPA Construction	\$ 85,410
*Corrected Total	

WHEREAS, Pro-Ex Painting & Decorating, the apparent low bidder, has a probationary contractors' license pursuant to Business and Professions Code Section 7073. Section 7073 allows the Contractors' License Board to deny a license or in its discretion issue a probationary license to contractors who fall within the proscriptions of Business and Professions Code Section 480. Section 480 only allows a denial or probation for a "crime or act [that] is substantially related to the qualifications, functions or duties of the business or profession for which application is made." Cities may reject an apparent low bidder upon a finding that the apparent low bidder is not responsible (Public Contracts Code Section 1103). A responsible bidder is one who has "demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the work; and

WHEREAS, staff recommends rejecting the non-responsive bid and awarding the contract for the City of Lodi Facilities Painting Project to the lowest responsive bidder, OnPoint Construction, of Millbrae, California, in the amount of \$53,140.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby reject the non-responsive bid and award the contract for the City of Lodi Facilities Painting Project to the lowest responsive bidder, OnPoint Construction, of Millbrae, California, in the amount of \$53,140; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the contract; and

BE IT FURTHER RESOLVED that funds in the amount of \$23,584 be appropriated from the Transit Facilities Upgrade Fund and the Streets Capital Fund for this project.

Dated: January 18, 2012

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I hereby certify that Resolution No. 2012-02 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 18, 2012, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Katzakian, Nakanishi, and
Mayor Mounce

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Johnson

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk